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# COMMON COUNCIL SPECIAL MEETING MINUTES TUESDAY, OCTOBER 3, 2006 – 6:00 P.M. COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

**MEMBERS PRESENT:**

Mayor James Brainard, Council President Richard L. Sharp, Council Members, Brian D. Mayo, Joseph C. Griffiths, Fredrick J. Glaser, Mark Rattermann and Deputy Clerk-Treasurer Lois Fine.

Councilor Kirby and Clerk-Treasurer Diana L. Cordray were not in attendance.

Council President Sharp called the meeting to order at 6:03 p.m.

Councilor Mayo pronounced the Invocation.

Council President Sharp led the Pledge of Allegiance.

**RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:**

There were none.

**APPROVAL OF MINUTES:**

Councilor Mayo made a motion to approve the Minutes of the September 18, 2006 Committee of the Whole Meeting. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. The Minutes were approved 5-1 (Councilor Glaser abstained).

Councilor Mayo made a motion to approve the Minutes of the September 18, 2006, Regular Meeting. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. The Minutes were approved 5-1 (Councilor Glaser abstained).

**RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:**

The following individual spoke in favor of proposed Ordinance D-1832-06 (No Parking on Shelborne Road):

*Mary Lou Hiatt*

*13604 N. Shelborne Road, Carmel, IN 46032*

**COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:**

Councilor Griffiths asked Mayor Brainard to give an update on City Center and the Performing Arts Center project.

Councilor Carter responded to Mary Lou Hiatt and also discussed the article in the Indianapolis Star on September 17, 2006 regarding the Performing Arts Center. Councilor Carter also discussed the correction in the Indianapolis Star on September 26, 2006 regarding the Performing Arts Center.

Council President Sharp informed the Council that he received, from the City of Long Beach Mississippi, a receipt for the \$10,000 that the Council contributed to the Long Beach Mississippi Disaster Relief Fund.

Council President Sharp referred to Assistant City Attorney, Tom Perkins, to make changes to the rules/procedure of a mayoral veto and also asked the attorney to make changes to the rules/procedure for passing the gavel when the Council President comments on city business.

### **ACTION ON MAYORAL VETOES:**

Resolution CC-09-18-06-03. There was no Council discussion.

### **CLAIMS:**

Councilor Mayo made a motion to approve the claims in the amount of \$2,761,279.77. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. Claims were approved 6-0.

### **COMMITTEE REPORTS:**

Councilor Rattermann reported that the Finance, Administration and Rules Committee had not met.

Councilor Glaser reported that the Land Use, Annexation and Economic Development Committee had not met.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Council President Sharp reported that the Utilities, Transportation and Public Safety Committee had not met.

### **OLD BUSINESS**

**Fourth Reading of Ordinance D-1782-05;** An Ordinance of the Common Council of the City of Carmel, Indiana to Vacate a Segment of Right-Of-Way for River Road; Sponsor: Councilor Glaser. This item was not discussed. (LAND USE COMMITTEE 10/12/06)

**Second Reading of Ordinance D-1830-06;** An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing the Issuance of the City of Carmel, Indiana Taxable Economic Development Revenue Bonds, Series 2006 B (Gramercy Development Partners, LLC Project), and the Lending of the Proceeds Thereof to Gramercy Development Partners, LLC (\$20,000,000 Tax Increment Financing); Sponsor(s): Councilor(s): Carter and Sharp. This item was not discussed. (FINANCE COMMITTEE 10/11/06)

**Second Reading of Ordinance Z-496-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Change of Zoning Classification, Rezoning of 27+ Acres of Real Estate at Northeast Corner of 122<sup>nd</sup> Street and Pennsylvania Street from R-1/Residential and M-3/Manufacturing Park to B-3/Business Zoning Classification; Sponsor: Councilor Rattermann. This item was not discussed. (LAND USE COMMITTEE 10/12/06)

## **PUBLIC HEARINGS**

Council President Sharp announced the **First Reading of Ordinance Z-497-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Sunset Provision of the Carmel Drive – Range Line Road Overlay Zone in the Carmel Zoning Ordinance. Councilor Rattermann made a motion to move this item into business. Councilor Mayo seconded. Councilor Rattermann presented this item to Council and referred to Adrienne Keeling, Department of Community Services, for clarification. Council President Sharp opened the Public Hearing at 6:26 p.m.

The following individual spoke neither in favor of or opposed to Ordinance Z-497-06:

*Angie Molt, 740 W. Auman Drive, Carmel, IN*

Seeing no one else who wished to speak, Council President Sharp closed the Public Hearing at 6:28 p.m. There was brief Council discussion. Council President Sharp referred Ordinance Z-497-06 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

## **NEW BUSINESS**

Council President Sharp announced **Resolution CC-10-03-06-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Expressing Interest in the Purchase of Certain Properties Valued at Over \$25,000 and Associated with the City's Road Improvement Projects (54 properties). Councilor Mayo made a motion to move this item into business. Councilor Griffiths seconded. Council President Sharp passed the gavel to Councilor Glaser to present this item to Council. Council President Sharp made a motion to move Resolution CC-10-03-06-01, As Amended, VERSION A 10-3-06, into business. Councilor Rattermann seconded. Council President Sharp informed Council that an additional property was added to the resolution. There was no Council discussion. Councilor Glaser called for the question. The motion was approved 6-0. Council President Sharp made a motion to approve Resolution CC-10-03-06-01, As Amended VERSION A 10-3-06. Councilor Mayo seconded. There was no Council discussion. Councilor Glaser called for the question. **Resolution CC-10-03-06-01, As Amended VERSION A 10-3-06** was adopted 6-0.

Council President Sharp reclaimed the gavel from Councilor Glaser.

Council President Sharp announced **Resolution CC-10-03-06-02**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds by the Carmel Clay Communications Center (\$64,000). Councilor Mayo made a motion to move this item into business. Councilor Griffiths seconded. Councilor Griffiths presented this item to Council. There was no Council discussion. Councilor Mayo made a motion to approve Resolution CC-10-03-06-02. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Resolution CC-10-03-06-02** was adopted 6-0.

Council President Sharp announced **Resolution CC-10-03-06-03**; A Resolution of the Common Council of the City of Carmel, Indiana, Authorizing an Excess Levy Appeal for 2007. Councilor Carter made a motion to move this item into business. Councilor Mayo seconded. Council President Sharp referred to Mayor Brainard for a presentation to Council. Council President Sharp passed the gavel to Councilor Glaser to address Council. There was brief Council discussion. Councilor Glaser called for the question. **Resolution CC-10-03-06-03** was adopted 4-2 (Councilors Glaser and Rattermann opposed). There was brief Council discussion.

#### **ADD-ON**

Council President Sharp made a motion to Add-On to the agenda, **Ordinance D-1832-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Adopting and Adding Chapter 8, Article 5, Section 8-47, Subsection 8-47(a)(31) to the Carmel City Code (No Parking Areas); Sponsor: Councilor Sharp. Councilor Griffiths seconded. Councilor Glaser called for the question. The motion to Add-On Ordinance D-1832-06 to the agenda was approved 6-0. Council President Sharp presented this item to Council. There was brief Council discussion. Councilor Glaser referred Ordinance D-1832-06 to the Utilities, Transportation and Public Safety Committee for further review and consideration.

Council President Sharp reclaimed the gavel from Councilor Glaser.

#### **OTHER BUSINESS**

There was none.

#### **ANNOUNCEMENTS**

There were none.

#### **EXECUTION OF DOCUMENTS**

Mayor Brainard adjourned the meeting at 6:52 p.m.

#### **ADJOURNMENT**

Respectfully submitted,

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Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

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Mayor James Brainard

ATTEST:

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Clerk-Treasurer Diana L. Cordray, IAMC

10/03/06 CC Special Meeting Minutes